

Addendum to the 1998 Final  
Environmental Impact Report and  
2001 Final Supplemental  
Environmental Impact Report for the  
Monarch Dunes Specific Plan

County of San Luis Obispo Case  
Number: LRP2021-00003

AUGUST 2022

PREPARED FOR

**County of San Luis Obispo**

PREPARED BY

**SWCA Environmental Consultants**



**ADDENDUM TO THE  
MONARCH DUNES SPECIFIC PLAN  
1998 FINAL ENVIRONMENTAL IMPACT REPORT AND  
2001 FINAL SUPPLEMENTAL  
ENVIRONMENTAL IMPACT REPORT**

**SAN LUIS OBISPO COUNTY, CALIFORNIA**

**COUNTY OF SAN LUIS OBISPO CASE NUMBER:  
LRP2021-00003**

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Attachment 3

*Addendum to 1998 Final EIR and 2001 Final Supplemental EIR for Monarch Dunes Specific Plan  
County of San Luis Obispo Case Number: LRP2021-00003*

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## CHAPTER 1. INTRODUCTION

Monarch Dunes LLC (applicant) has submitted a request (LRP2021-00003) to amend an existing specific plan to modify the allowable uses identified by the *Monarch Dunes Specific Plan* (Specific Plan).

In September 1998, the County of San Luis Obispo (County) adopted the *Final Woodlands Specific Plan Environmental Impact Report* (1998 FEIR; Environmental Science Associates [ESA] 1998) for the Woodlands Specific Plan Project (project; later renamed Monarch Dunes Specific Plan [County of San Luis Obispo 1999a]) and approved a development agreement, vesting tract maps, and discretionary use permits. The project included the development of a 957-acre mixed-use community including residential, commercial, business park, open space, and recreational uses, including 300 acres of golf courses.

The area affected by the specific plan amendment is located primarily in the heart of Monarch Dunes Village, in the Village Center, along Center Point Place, with a portion of the project located along Viva Way, north of Mesa Road. Monarch Dunes Village is located approximately 1.5 miles west of the community of Nipomo and 4 miles east of the Pacific Ocean in San Luis Obispo County, California.

### 1.1 PURPOSE OF ADDENDUM

Pursuant to Section 21166 of the California Environmental Quality Act (CEQA) and Section 15162(a) of the State CEQA Guidelines, when a lead agency has certified an EIR for a project, a subsequent EIR does not need to be prepared for the project unless the lead agency determines that one or more of the following conditions are met:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Preparation of an Addendum to an EIR is appropriate when none of the conditions specified in Section 15162 are present and some minor technical changes to the previously certified EIR are necessary.

## **1.2 BASIS FOR ADDENDUM**

In accordance with Section 15164 of the State CEQA Guidelines, the County has determined that this Addendum to the certified EIR is necessary to document changes that have occurred in the project description since the EIR was originally certified. The changes proposed are relatively minor in nature and, as documented in Chapter 3, Impact Analysis, of this Addendum, would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified has been identified. The County has reviewed and considered the information contained in this Addendum and finds that the preparation of subsequent CEQA analysis that would require public circulation is not necessary.

This Addendum does not require circulation because it does not provide significant new information that changes the certified EIR in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect. The County shall consider this Addendum with the certified EIR as part of the discretionary review of the proposed amendment to the Specific Plan.

This Addendum, the previous addendums, the previously certified 1998 FEIR, and the previously certified 2001 *Final Woodlands Specific Plan Supplemental Environmental Impact Report* (2001 FSEIR; ESA 2001) together make up the environmental documentation for the proposed project. The 1998 FEIR and 2001 FSEIR may be viewed at the Planning and Building Department offices at 976 Osos Street, Room 200, San Luis Obispo.



## CHAPTER 2. PROJECT AND REQUESTED AMENDMENTS

### 2.1 SUMMARY OF ORIGINAL PROJECT

On December 15, 1998, the County Board of Supervisors certified the 1998 FEIR for the adoption of the Specific Plan. The Specific Plan and 1998 FEIR are intended to provide the framework for an orderly development of the Woodlands Village consistent with the *County of San Luis Obispo General Plan*. The Woodlands is a 957-acre, mixed-use development located on the Nipomo Mesa approximately 2 miles west of the community of Nipomo, on the east side of State Route (SR) 1, and approximately 0.5 mile south of Willow Road. The Specific Plan includes a residential component of 1,320 units (1,240 single-family units and 80 multi-family units), a commercial retail component of up to 140,000 square feet of floor area in the Village Center (approximately 10 acres in area), a commercial service/business park component (approximately 22 acres in area) for up to 335,000 square feet of floor area, an 18-acre resort site for up to 500 hotel rooms, three golf courses, a 10-acre park site, an 11-acre butterfly preserve, and a variety of trails, buffers, play areas, and common areas. Development was planned to occur in four major phases: 1A, 1B, 2A, and 2B.

On December 17, 2002, the County Board of Supervisors approved the master Development Plan (S990187U) and Vesting Tentative Tract Map 2341, which covered the entire 957 acres. S990187U requires a Development Plan (CUP) for each major phase. On December 17, 2002, the County Board of Supervisors also approved D990195D for the development of Phase 1A, D950194D for the development of the Phase 1A 18-hole golf course, and, pursuant to California Government Code Section 66473.7, made a determination and verification that a sufficient water supply is available for Tract 2341. A CUP (DRC2004-00261) for the development of Phase 1B (368 single-family residences, nine-hole golf course, and grading and infrastructure for the future public park and resort) was approved on January 2, 2007. A CUP (DRC2014-00130) for the development for Phase 2A (242 single-family units, roads, and open space) was approved on January 28, 2016. A CUP (DRC2016-00132) for the development for Phase 2B (163 single-family units, roads, vineyards, and open spaces) was approved March 6, 2018.

### 2.2 SUMMARY OF PREVIOUS MODIFICATIONS

On January 8, 2002, the County Board of Supervisors certified the 2001 FSEIR for an amendment to the Growth Management Ordinance (GMO; Title 26 of the County Code). The amendment added a provision to the GMO to allow allocations for residential building permits to be received at a rate to allow Monarch Dunes Village to be built out in a 10- to 15-year period. The 2001 FSEIR focused on groundwater supply only.

In November 2004, the County approved an amendment to the Specific Plan (G030017S). This amendment added 5.4 acres of the original resort site to Phase 1A and exchanged the original multi-family residential site with this smaller portion of the resort site. It also increased the maximum allowable multifamily residential units from 80 to 100 units and decreased maximum number of allowable single-family units from 1,240 to 1,220. Minor changes to lot coverage ratios were also made for the residential single-family land use areas.

In July 2017, the County approved amendments to the Specific Plan and adopted an EIR Addendum to allow for the development of an approximately 140,000-square-foot assisted living facility (DRC2016-00069). The amendments rezoned a 4.57-acre parcel from Commercial Service/Business Park to Office Professional and reduced the maximum allowed floor area for the remaining 19-acre Business Park to 265,326 square feet. The amendments also reduced the number of hotel rooms proposed for the resort site

from 500 to 400, which resulted in a 15-acre-foot-per-year (AFY) reduction in water demand, of which 8.54 AFY were allocated to the assisted living facility.

On July 9, 2019, the County Board of Supervisors approved amendments to the Specific Plan to redesignate 35 multi-family residential units as 35 single-family residential units, and to reallocate the 35 units to the newly proposed Phase 2C. This amendment also changed the name of Woodlands Village to Monarch Dunes Village and the name of Woodlands Specific Plan to Monarch Dunes Specific Plan.

## **2.3 PROPOSED PROJECT**

The applicant has requested that the County amend the Specific Plan to modify the allowable land uses of four sites within Monarch Dunes Village (Specific Plan Amendments). The changes, described in more detail below, would add 122 new residential dwelling units in the form of common wall development (primary dwellings), 40 multi-family dwelling units (condominiums), reduce the size of the planned hotel, reduce the amount of Commercial Retail floor area allowed in the Village Center, and move several uses within the community. The number of units allocated individually to Sites #3 and #4 as described below may be increased or decreased, so long as the total number of new units does not exceed 122 common wall development residential dwelling units (primary dwellings).

### **2.3.1 Village Center (Sites #1 and #2)**

The Village Center is approximately 15 acres in size in the heart of the community and is slated for commercial land uses through the Commercial Retail land use category designation. Originally envisioned to provide a mix of neighborhood service uses, offices, and business-related services, as well as multi-family housing, the Village Center remains largely undeveloped to date. The Village Center was mass graded as part of tract improvements. The Specific Plan identifies a maximum Commercial Retail floor area of 140,000 square feet.

The applicant is proposing to change the land use designation of 2.07 acres of the Village Center (Site #1) from Commercial Retail to Recreation-Resort, which would allow the Specific Plan-envisioned hotel to be transferred from the resort site (Site #3; see below) to the Village Center. As part of the transfer, the applicant proposes to reduce the number of allowable hotel rooms from 400 to 97.

Site #2 is located in the Village Center and is approximately 2.53 acres in size. The applicant proposes to retain the Commercial Retail land use designation of this site and allow the construction of 40 condominium residential units on the second floor above commercial retail uses. These units would range in size from 650 square feet to 1,500 square feet.

As part of these changes, the total allowable Commercial Retail floor area in the Village Center would be reduced to 51,680 square feet.

### **2.3.2 Resort Site (Site #3)**

The Resort Site (Site #3) is an 18.33-acre parcel designated Recreation-Resort located south of the Village Center adjacent to the golf course. The Specific Plan originally envisioned that the Resort Site would include a hotel with up to 400 rooms,<sup>1</sup> a restaurant, a fitness center/spa, and conference meeting facilities, along with other recreation facilities (i.e., golf- and tennis-related uses). The Resort Site was mass graded as part of tract improvements.

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<sup>1</sup> Note that the original Specific Plan and 1998 FEIR approved 500 rooms as part of the Resort site. In 2017, 100 of these rooms were reallocated to the Assisted Living Facility (see DRC2016-00069).

As described above, the applicant is requesting to transfer the Resort uses to the Village Center (Site #1) and reduce the allowable size from 400 rooms to 97 rooms. The applicant proposes that this Resort site be redesignated as Single-Family Residential, and that 76 residential dwelling units in the form of common wall development be allowed instead.

### **2.3.3 Park Site (Site #4)**

The Park Site (Site #4) is an 11.5-acre parcel identified in the Specific Plan as Public Facilities and planned as an active public park that would be dedicated to the County. The Park Site was mass graded as part of tract improvements.

The applicant proposes to redesignate the site as Single-Family Residential and allow up to 46 residential dwelling units in the form of common wall development be developed instead of the public park.

## CHAPTER 3. IMPACT ANALYSIS

### 3.1 AESTHETICS

The 1998 FEIR determined that development of the Specific Plan area would alter the natural visual character of the site and introduce new sources of light and glare, but that these impacts would be less than significant with mitigation. Development resulting from the proposed Specific Plan Amendments would be consistent with other development within Monarch Dunes Village, which is primarily residential in nature. Mitigation Measure 4.6-2a from the 1998 FEIR (relative to lighting) would apply to future development associated with the Specific Plan Amendments. The Specific Plan Amendments do not alter the assessments or conclusions related to aesthetic impacts of the 1998 FEIR.

### 3.2 AGRICULTURE

The 1998 FEIR concluded that the project would convert non-prime soils (Class IV irrigated and Class VI non-irrigated soils per the U.S. Department of Agriculture Natural Resources Conservation Service [NRCS]) to non-agricultural use, which was determined to not be a significant impact. Per the recommendation of the County Agriculture Department, mitigation was adopted that requires a 500-foot buffer is maintained from the project to the farm located to the west and a 200-foot buffer from the project to the wholesale nursery to the north. The proposed amendment would not impact these buffers and no new impacts to agricultural lands would occur. Mitigation Measure 4.9-1a from the 1998 FEIR (relative to agricultural buffers) would apply to future development associated with the Specific Plan Amendments. The Specific Plan Amendments do not alter the assessments or conclusions of the 1998 FEIR.

### 3.3 AIR QUALITY

The project site is located within the South Central Coast Air Basin (SCCAB), which consists of San Luis Obispo, Santa Barbara, and Ventura Counties. Within the SCCAB, the air pollutants of primary concern, with regard to human health, include ozone (O<sub>3</sub>), particulate matter (PM) and carbon monoxide (CO). Exposure to increased pollutant concentrations of O<sub>3</sub>, PM, and CO have the potential to result in various heart and lung ailments, cardiovascular and nervous system impairment, and death.

The project site is under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). According to the U.S. Environmental Protection Agency (USEPA) *Nonattainment Areas for Criteria Pollutants (Green Book)*, San Luis Obispo County is currently not in attainment for 8-hour O<sub>3</sub> (USEPA 2022). According to the California Air Resources Board (CARB), San Luis Obispo County is not in attainment for O<sub>3</sub> and particulate matter less than 10 microns in diameter (PM<sub>10</sub>) (CARB 2022). The Nipomo Mesa is located in an area that is impacted by periods of high particulate matter concentrations (SLOAPCD 2022).

Dudek prepared an Air Quality Technical Memorandum to evaluate the proposed changes to the specific plan compared to the allowable development per the adopted Specific Plan. The following impact assessments are taken from the Air Quality Technical Memorandum (Dudek 2022a).

Similar to the 1998 FEIR, the Specific Plan Amendments would exceed the population growth projections of the Clean Air Plan (CAP) as the density is higher than what was accounted for in the 1995 CAP. The Specific Plan Amendments would result in fewer vehicle trips compared to the 1998 FEIR; therefore, the annual growth rate of vehicle miles traveled (VMT) in the Specific Plan Amendments would be less than

that evaluated within the 1998 FEIR and would not exceed the population growth rate in the South County Area Plan. The Specific Plan Amendments would be consistent with the policies and programs from Appendix E of the 1995 CAP as discussed within the 1998 FEIR. Therefore, buildout of the Specific Plan would continue to conflict with the 1995 CAP, but the Specific Plan Amendments would not increase or create a new impact compared to what was evaluated within the 1998 FEIR (Dudek 2022a).

The 1998 FEIR determined that buildout of Monarch Dunes Village would result in air pollution emissions that exceed thresholds of significance during construction for oxides of nitrogen (NO<sub>x</sub>) and particulate matter (PM<sub>10</sub>). The 1998 FEIR used the SLOAPCD thresholds of 185 pounds per day in effect at the time; since 1998, the SLOAPCD has revised their thresholds and the current threshold for reactive organic gases (ROG) + NO<sub>x</sub> is 137 pounds per day. The SLOAPCD provides a quarterly threshold for PM<sub>10</sub>, which has not changed since the 1998 FEIR. Based on the revised modeling by Dudek, buildout of the Specific Plan with the proposed Specific Plan Amendments would result in fewer ROG + NO<sub>x</sub> and PM<sub>10</sub> construction-related emissions than the original project. Mitigation Measures 4.3-1a through 4.3-1g from the 1998 FEIR (relative to construction-related measures) would apply to future development associated with the Specific Plan Amendments. The Specific Plan Amendments do not increase or create new impacts compared to what was evaluated in the 1998 FEIR.

Daily operational emissions related to the buildout of Monarch Dunes Village were also projected to exceed SLOAPCD thresholds for ROG, NO<sub>x</sub>, CO, and PM<sub>10</sub> under the 1998 FEIR. Based on the revised modeling by Dudek, buildout of the Specific Plan with the proposed amendments would not exceed SLOAPCD daily thresholds for CO and PM<sub>10</sub> and would still exceed the daily thresholds for ROG and NO<sub>x</sub>. Quarterly emissions for ROG, NO<sub>x</sub>, CO, and PM<sub>10</sub> would still exceed thresholds but would not increase or create a new impact compared to what was evaluated within the 1998 FEIR. Mitigation Measures 4.3-2a through 4.3-2g from the 1998 FEIR (relative to operational-related measures) would apply to future development associated with the Specific Plan Amendments. Mitigation Measure 4.3-2c from the 1998 FEIR may be superseded by the California Building Code (CBC) requirements in effect at the time of issuance of building permits. The Specific Plan Amendments do not increase or create new impacts compared to what was evaluated in the 1998 FEIR.

The 1998 FEIR concluded that the project would introduce sensitive receptors in proximity to the Unocal Refinery and would increase the population subject to intermittent odors generated by the facility. In addition, the project could introduce odors associated with the on-site wastewater treatment plant. In August 2020, Phillips 66 announced that it will close the Unocal Refinery (now called the Santa Maria Refinery) in 2023 and will begin phasing its associated pipelines out of service. As such, the sensitive receptors introduced by the Specific Plan Amendments would be exposed to less odors from the facility once it is closed. Buildout of the Specific Plan would still include a wastewater treatment plant to process wastewater from the development. Odor scrubbers at the initial treatment units manage on-site odors from the wastewater treatment plant, and the wastewater treatment plant is still subject to the Mitigation Measures 4.3-4a through 4.3-4c from the 1998 FEIR, which would limit odors from the facility. As such, the Specific Plan Amendments would not exacerbate or increase the impact of the proposed project as evaluated within the 1998 FEIR and, due to the refinery closing, may result in fewer odors than what was proposed in the 1998 FEIR. (Dudek 2022a)

Based on correspondence with SLOAPCD, Mitigation Measures 4.3-1a through 4.3-1g are amended as follows to reflect current standards:

~~**Mitigation Measure 4.3-1a:** The project applicant shall implement the following Best Available Control Technology (CBACT) for each piece (no less than six overall) of diesel fueled construction equipment estimated to cause the highest level of combustion emissions during construction. Implementation of a given CBACT technology or combination of technologies~~

should always be preceded by an evaluation of the subject equipment to determine the most appropriate retrofit strategy. Other CBACT technologies with similar emissions reduction potential to the example below may also be considered if appropriate documentation is provided.

CBACT retrofit examples:

- 1) ~~a. Injection timing retard of 2 degrees;~~
  - ~~b. Installation of high pressure injectors; and~~
  - ~~c. Use of reformulated diesel fuel.~~
- 2) ~~a. Fuel injection timing retard of 2 degrees, and~~
  - ~~b. Coating of internal combustion chamber surfaces (cylinder head, pistons, and valves), and~~
  - ~~c. Use of reformulated diesel fuel~~

If the above cannot be implemented, the applicant shall implement an equivalent emission reduction methodology to achieve a 50 percent reduction in emissions to the equipment estimated to cause the highest level of combustion emissions. The following measures shall be used to achieve the specified reduction and incorporated into any contractor or subcontractor's contract, as well as shown on all applicable construction plans:

- ~~d) Caterpillar pre-chamber diesel engines (or equivalent) shall be used together with proper maintenance and operation to reduce emissions of NO<sub>x</sub>~~
- ~~e) General contractors shall maintain equipment engines in proper tune per manufacturer's specifications and operate construction equipment so as to minimize exhaust emissions.~~
- ~~f) If available within the (sub)contractor's fleet, gasoline powered equipment shall be substituted for diesel fueled equipment.~~
- ~~g) If available within the (sub)contractor's fleet, compressed natural gas (CNG) or propane powered portable equipment (e.g., compressors, generators, etc.) shall be used on-site instead of diesel powered equipment.~~

Prior to commencement of grading and construction activities, the applicant shall notify the Department of Planning and Building and the Air Pollution Control District, by letter, of the status of the above air quality mitigation measures, and shall clearly state the following: 1) which pieces of equipment have implemented measures a, b, and c; 2) the reasons why any measures not taken are infeasible; 3) what measures have been incorporated to substitute for these measures; and 4) when tree clearance and grading will be initiated to allow for APCD inspection of the above measures.

#### **Mitigation Measure 4.3-1a:**

Standard:

- Maintain all construction equipment in proper tune according to manufacturer's specifications; Fuel all off-road and portable diesel powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

- Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5-minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- Use alternatively fueled construction equipment on-site, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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- Expand the use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines where feasible;
- Repower equipment with the cleanest engines available; and
- Install California Verified Diesel Emission Control Strategies, such as level 2 diesel particulate filters. These strategies are listed at: <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

~~**Mitigation Measure 4.3-1b:** Mitigation Measure 4.3-1b: During construction, trucks and vehicles in loading or unloading queues should be kept with their engines off, when not in use, to reduce vehicle emissions. Signs with prominent lettering at such queuing areas shall be posted to remind drivers. Large Construction activities shall be phased and scheduled to avoid emissions peaks.~~

~~**Mitigation Measure 4.3-1c:** General contractors shall use reasonable and typical watering techniques to reduce fugitive dust emissions. All unpaved demolition and construction areas shall be wetted at least twice a day during excavation and construction, and temporary dust covers shall be used over stockpiled areas to reduce dust emissions. To keep moist, additional watering should be done as needed in the afternoons, when it is typically much more windy, or when winds of 15 mph or greater are predicted or are occurring at any given time.~~

~~**Mitigation Measure 4.3-1d:** To keep dust levels to a minimum, soil binders shall be spread where there will be regular construction vehicle usage such as unpaved roads and parking areas. These binders shall be applied immediately after area is ready for vehicle use.~~

**Mitigation Measure 4.3-1e:** Ground cover shall be re-established on the construction site through seeding and watering, as soon as is feasible or immediately following completion of grading, whichever occurs first. The following seed mix is recommended for areas that are adjacent to or within existing or future native areas (namely coastal sage scrub):

————— **“CHAPARRAL/SAGE SCRUB” SEED MIX**

Species	lbs/ac
<i>Adenostoma fasciculatum</i> (chamise)	0.50
<i>Artemisia californica</i> (California sagebrush)	0.25
<i>Ceanothus cuneatus</i> (buckbrush)	1.00
<i>Dendromecon rigida</i> (bush poppy)	0.25
<i>Eriogonum parvifolium</i> (buckwheat)	0.20
<i>Eriophyllum confertiflorum</i> (golden yarrow)	0.20
<i>Eschscholzia californica</i> (California Poppy)	0.50
<i>Heteromeles arbutifolia</i> (toyon)	0.20
<i>Lotus scoparius</i> (deerweed)	1.20
<i>Mimulus aurantiacus</i> (bush monkeyflower)	0.25
<i>Nasella (Stipa) pulchra</i> (purple needlegrass)	1.50
<i>Salvia mellifera</i> (black sage)	0.50

**Mitigation Measure 4.3-1f:** Trucks, prior to leaving the site, shall be washed off.

**Mitigation Measure 4.3-1g:** Prior to initiation of any tree clearing activities, or approval for subdivision improvement plans or issuance of grading permits, the applicant shall submit to the county an APCD approved Construction Activities Management Plan. This Plan should outline the following:

- Methods to minimize the amount of large construction equipment operating during any given time period; and
- Scheduling of construction truck trips during non-peak hours to reduce peak hour emissions.

**Mitigation Measure 4.3-1b:**

Fugitive Dust Mitigation Measures: Expanded List

Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. Projects with grading areas more than 4 acres and/or within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance (APCD Rule 402) impacts:

- a) Reduce the amount of the disturbed area where possible;
- b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a



- concern, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: Products Available for Controlling Dust;
- c) All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
  - d) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
  - e) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;
  - f) “Track-Out” is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent ‘track out’, designate access points and require all employees, subcontractors, and others to use them. Install and operate a ‘track-out prevention device’ where vehicles enter and exit unpaved roads onto paved streets. The ‘track-out prevention device’ can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
  - g) All fugitive dust mitigation measures shall be shown on grading and building plans;
  - h) The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact the Compliance Division at 805-781-5912).
  - i) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
  - j) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
  - k) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

- l) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- m) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- n) Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

### 3.4 BIOLOGICAL RESOURCES

The 1998 FEIR determined that buildout of Monarch Dunes Village would result in impacts to Central Coastal Scrub, eucalyptus stands, monarch butterfly, silvery legless lizard, loggerhead shrike, American badgers, and nesting raptors, and would result in additional impacts associated with the application of fertilizers and pesticides. With mitigation measures, these impacts were determined to be less than significant.

Dudek prepared a Biological Resources Technical Memorandum to evaluate the proposed changes to the Specific Plan to the original project approval (Dudek 2022d). The proposed locations within Monarch Dunes Village that would be affected by the Specific Plan Amendments have been regularly maintained and are generally highly disturbed, and the site conditions as they relate to biological resources are significantly different than described in the 1998 FEIR. Notably, the eucalyptus woodland that covered the Specific Plan area have been removed and all the locations of the Specific Plan Amendments have been graded (Dudek 2022d). Sites #1 and #2 support ornamental plantings, coyote brush scrub, arroyo willow thickets, and urban/developed habitats. Site #3 includes urban/developed habitat, disturbed habitat, non-native grassland, and ornamental plantings. Site #4 includes disturbed habitat, ornamental plantings, coyote brush scrub, arroyo willow thickets, and remnant eucalyptus grove along the south portion of the site.

Site #4 also contains two culvert outlets that appear to drain stormwater from Trail View Place. One of the culvert outlets contains a small arroyo willow thicket that could be considered riparian vegetation and potentially under the jurisdiction of the California Department of Fish and Wildlife as an aquatic resource (Dudek 2022d). Site #1 also contains an isolated patch of arroyo willow thickets, which is not associated with a potentially jurisdictional aquatic resource (Dudek 2022d). The grading plans for Site #4 would avoid these arroyo willow thickets and the potentially jurisdictional aquatic resource; while the grading plans for Site #1, as a good faith effort, would avoid these arroyo willow thickets to the greatest extent possible.

Two varieties of wedgeleaf horkelia [mesa horkelia (*Horkelia cuneata* var. *puberula*) and Kellogg's horkelia (*Horkelia cuneata* var. *sericea*)] were identified by Dudek as potentially occurring within the sites affected by the proposed Specific Plan Amendment. Wedgeleaf horkelia are considered California Rare Plant Rank 1B.1 species, which indicate that they are rare, threatened, or endangered. Dudek conducted focused wedgeleaf horkelia surveys during May 2022 (Dudek 2022e). The focused surveys identified the presence of wedgeleaf horkelia at Site #1, Site #2, and Site #4, with the majority of individuals located on Site #4. Approximately 90% of the wedgeleaf horkelia observed was located within 100 feet of coyote brush scrub (Dudek 2022e).

Coyote brush scrub is identified as a form of coastal scrub or coastal sage scrub per the California Native Plant Society (Dudek 2022e). The 1998 FEIR evaluated impacts of the Specific Plan to Central Coastal Scrub. "The [1998] [F]EIR did not identify a single source for the community "Central Coastal Scrub,"

but instead stated that its classification system was “based on Sawyer and Keeler-Wolf (1995) and influenced by the classification system of Holland (1986).” Thus, “Central Coastal Scrub” is not specifically listed in any known source, although it is analogous to coastal scrub/coastal sage scrub, which includes coyote brush scrub.” (Dudek 2022e).

Mitigation Measures 4.4-1a, 4.4-3a through 4.4-3c, 4.4-4a through 4.4-4c, 4.4-5a through 4.4-5c, and 4.4-6a from the 1998 FEIR would still apply to the project. Because coyote brush scrub, which is a community that includes the species *Horkelia cuneata*, is analogous to Central Coastal Scrub, Mitigation Measure 4.4-1a of the 1998 FEIR would mitigate for both coyote scrub habitat and wedgeleaf horkelia, though the measure did not detail species-specific mitigation. Mitigation Measure 4.4-1a is amended as follows to provide information specific to the mitigation of wedgeleaf horkelia, a special status species that is part of the coastal scrub that the measure is intended to mitigate:

**Mitigation Measure 4.4-1a:** The potential loss of 9 acres of Central Coastal Scrub (coastal scrub/coastal sage scrub, which includes coyote scrub), and potential loss of *Horkelia cuneata*, can be reduced to below the level of significance by one of the following:

- 3) Prior to the issuance of a tree removal or grading permit or approval of a subdivision, the project will be reconfigured to avoid Area A, as mapped in Figure 4.4-1 and surrounded by a buffer strip of native perennial grasses averaging 25 feet wide; or
- 4) Prior the issuance of any permit, develop a program for the County’s approval which will be prepared by a qualified biologist familiar with the central coast scrub (coastal scrub/coastal sage scrub, which includes coyote scrub) habitats and which will identify a site with the necessary characteristics to re-establish coastal scrub in an acreage equivalent to that lost as a result of the project. The program shall include, at a minimum, the following items:
  - a) transplanting any of the existing scrub to the new site, as practicable,
  - b) a planting/propagation/seed collection program to establish key species,
  - c) a weed eradication program to successfully remove any competing non-native plants,
  - d) a temporary irrigation system, if appropriate, and
  - e) a monitoring and maintenance program that will ensure the restored site is self-sustaining after 5 years.
  - f) Avoidance or transplantation of any wedgeleaf horkelia (*Horkelia cuneata*), according to a Horkelia Relocation Plan, which shall include:
    - i) Pre-construction surveys and delimiting of areas supporting wedgeleaf horkelia.
    - ii) Avoidance to the extent possible, and translocation, as noted in 2) a. above.
    - iii) Identification of open space areas on the project site or in close proximity suitable for translocation to a minimum 1:1 mitigation ratio for acreage of all horkelia removed, taking into consideration soil type; density of existing horkelia, if present; and vegetation community at the translocation site.
    - iv) Collection of seed of horkelia prior to its removal, for later application in the translocation areas.
    - v) Methods for salvage of horkelia plants and rootstock, and storage prior to translocation.
    - vi) Spacing requirements in areas where horkelia may be translocated.
    - vii) Short-term fencing to protect preserved horkelia from dust and direct disturbance during construction, and long-term fencing requirements during the maintenance and monitoring period, and long-term preservation.

- viii) Biological monitoring requirements during construction, to ensure protection of preserved horkelia.
- ix) Plant palette for restoration sites where horkelia is preserved or translocated. The plant palette should reflect the species composition of areas where translocated horkelia was salvaged.
- x) Methods of container plant installation for horkelia and other container plants.
- xi) Methods for application of seed mix, to supplement growth of horkelia and native plants.
- xii) Requirements for supplemental watering.
- xiii) Long-term access restrictions to ensure protection of horkelia.
- xiv) Maintenance and monitoring schedule, including the length of the plant establishment period and a five-year long-term maintenance and monitoring period.
- xv) Performance standards for translocated horkelia and other native growth in the restoration areas.
- xvi) Long-term preservation of the restoration areas either occupied by horkelia or where translocation occurs.

The Specific Plan Amendments do not alter the assessments or conclusions of the 1998 FEIR.

### **3.5 CULTURAL AND TRIBAL CULTURAL RESOURCES**

The 1998 FEIR identified several archaeological and historical sites within Monarch Dunes Village, including one prehistoric (and historic) archaeological site, one prehistoric isolated artifact, and five historic sites. The 1998 FEIR determined buildout of Monarch Dunes Village would disturb and/or destroy these known sites along with any undiscovered prehistoric and historic resources. Impacts to cultural resources and historical resources in the 1998 EIR were determined to be less than significant with implementation of mitigation measures, including subsurface testing and archaeological monitoring.

Dudek prepared an Archaeological Update Letter Report to evaluate the proposed changes to the Specific Plan compared to the original project approval (Dudek 2022c). The proposed locations within Monarch Dunes Village that would be affected by the Specific Plan Amendments have been previously disturbed as a result of mass grading during tract improvements, and additional investigations since the time of the 1998 EIR have delineated the boundaries of two historical sites closest to the amendment areas (CA-SLO-2354/H and CA-SLO-2355/H). No new archaeological or historical sites were identified that were unknown at the time of the 1998 FEIR. Mitigation Measures 4.8-1b through 4.8-1d from the 1998 FEIR would still apply to the project (Mitigation Measure 4.8-1a does not apply to the proposed amendment locations and therefore would not apply to this project). The Specific Plan Amendments do not alter the assessments or conclusions of the 1998 FEIR.

Additionally, the County provided opportunity for Native American tribes to participate in consultation regarding the proposed Specific Plan Amendments pursuant to Senate Bill (SB) 18. The County sent outreach letters to the tribes on November 5, 2021, and a request for consultation was received from the Salinan Tribe of Monterey and San Luis Obispo Counties. Consultation concluded that the 1998 FEIR mitigation measures in place are adequate to address the tribe's concerns.

### **3.6 ENERGY**

The 1998 FEIR was adopted prior to the inclusion of energy-related questions in State CEQA Guidelines Appendix G, Environmental Checklist Form. These new questions ask whether the project would:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

While these questions were not incorporated into the 1998 FEIR, their current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of the 1998 FEIR certification. Additionally, since the time of the 1998 FEIR, the State of California adopted the California Green Building Standards Code (CALGreen or Title 24) in 2009. The code is updated every 3 years and sets minimum requirements for sustainable practices for residential and commercial construction projects and includes regulations for energy efficiency, water efficiency and conservation, and material conservation and resource efficiency. New uses are now required to install solar (residential) or be solar ready (commercial), reduce indoor water use by 20%, divert 50% of construction waste, and use low pollutant-emitting materials.

The Specific Plan Amendments would not result in new or more severe significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources beyond what the original Specific Plan buildout would have anticipated.

### **3.7 GEOLOGY/SOILS**

The proposed Specific Plan Amendments would not substantially change the amount of earthwork or ground disturbance in Monarch Dunes Village and would not introduce earthwork or ground disturbance to new areas within the Village not originally anticipated for ground disturbance or development. Site conditions relative to geologic hazards have not changed since the time of the 1998 FEIR. Additionally, the project would be required to adhere to current CBC regulations, which are based on the 2018 International Building Code with the addition of more extensive structural seismic provisions. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. The CBC requires that soil-related hazards, such as treating hazardous soil conditions involving removal, proper fill selection, and compaction, be addressed prior to construction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils.

There would be no new or more significant impacts than originally analyzed, and the Specific Plan Amendments would not alter the assessments or conclusions of the 1998 FEIR.

### **3.8 GREENHOUSE GAS EMISSIONS**

Dudek prepared a Greenhouse Gas Technical Memorandum to evaluate the proposed changes to the Specific Plan compared to the original project approval. The following impact assessments are taken from the Greenhouse Gas Technical Memorandum (Dudek 2022f).

The 1998 FEIR was adopted prior to the inclusion of greenhouse gas (GHG) emissions-related questions in the CEQA checklist. These new questions ask whether the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Since then, California laws have expanded in regard to GHG emissions with the passage of the California's Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) and SB 32. While CEQA now requires evaluation of potential GHG emission impacts of a project, based on the findings of *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, GHG impacts are not a topic that constitutes "new information" triggering preparation of an EIR or negative declaration as opposed to relying on analysis from a prior EIR or negative declaration that did not analyze GHG impacts. Accordingly, a new GHG emissions analysis is not required for the proposed Specific Plan Amendments (Dudek 2022f).

Dudek used the California Emissions Estimator Model (CalEEMod) to model estimated emissions of the original Specific Plan during construction and at buildout compared to the proposed amended Specific Plan during construction and at buildout. The modeling shows that the proposed Specific Plan Amendments would result in an approximately 12.6% reduction of GHG emissions during construction and an approximately 63.0% reduction in operational emission when compared to emissions that would have been modeled in 1998.

The Specific Plan Amendments would not result in new or more severe significant environmental impacts related to GHG emissions beyond what the original Specific Plan buildout would have anticipated.

### **3.9 HAZARDS AND HAZARDOUS MATERIALS**

The 1998 FEIR determined that potential environmental impacts pertaining to handling, storage, and transportation of hazardous materials would be less than significant with compliance with existing laws and regulations. Mitigation Measures 4.10-1a through 4.10-1c apply to business park uses that handle reportable quantities of hazardous materials and require that management plans be filed with the County Health Agency (Environmental Health Services Division).

The proposed Specific Plan Amendments would not introduce new uses that would increase the potential for handling, storage, or transportation of hazardous materials. Additionally, there have been no changes to Sites #1 through #4 that would result in new or increased emissions or emissions due to accidents. There are no schools within a 0.25 mile and no airports within 2 miles of Sites #1 through #4. Mitigation Measure 4.10-6a would apply to development associated with the proposed Specific Plan Amendments (hazardous materials transportation plan for construction activities).

The Specific Plan Amendments would not alter the assessments or conclusions of the 1998 FEIR.

### **3.10 LAND USE**

The proposed Specific Plan Amendments would be contained within an existing community and would not result in the removal or blockage of any existing public roadways or other travel patterns and would not otherwise include any features that would physically divide an established community.

The proposed Specific Plan Amendments would be consistent with most goals, policies, plans, programs, and standards pertaining specifically to land use and planning that were adopted for the purpose of avoiding or mitigating an environmental effect.

Although buildout of Monarch Dunes Village would have the potential to result in inconsistencies with applicable policies pertaining to air quality, biological resources, and noise, the proposed Specific Plan Amendments would not exacerbate or increase the impact of the inconsistencies beyond what was evaluated in the 1998 FEIR.

## 3.11 HYDROLOGY AND WATER QUALITY

### 3.11.1 Groundwater and Water Supply

The 1998 FEIR determined that the project would have a cumulative impact on groundwater water resources, but that the impact would be reduced to less than significant with implementation of mitigation measures. The 2001 SFEIR focused exclusively on groundwater resources in response to an amendment request that sped up buildout of the Specific Plan from 27 years to 10 to 15 years. The 2001 SFEIR concluded that the new information that became available related to groundwater resources since certification of the 1998 FEIR would not alter the conclusions of the 1998 FEIR.

At the time of the 1998 FEIR and 2001 SFEIR, groundwater from the Nipomo Mesa subarea of the Santa Maria Groundwater Basin was the sole source of water for Woodlands Village. As a result of the 2005 Stipulation in the Santa Maria Groundwater litigation, Woodlands Mutual Water Company (WMWC), which serves the Specific Plan area, agreed to participate in the Nipomo Supplemental Water Project (NSWP), which will deliver water from the City of Santa Maria to the Nipomo Community Services District (NCSD). There are three sources for the supplemental water: the State Water Project, Twitchell Reservoir, and groundwater from the Santa Maria side of the groundwater basin. According to the *Nipomo Supplemental Water Project Supplemental Water Management and Groundwater Replenishment Agreement* (Agreement), the underlying premise for the supplemental water is to offset 2,500 acre feet per year (AFY) of groundwater pumping where groundwater levels are most depressed in the Nipomo Mesa Management Area (NMMA) of the Santa Maria Groundwater Basin (where both NCSD and WMWC pump groundwater).

The 2005 Stipulation makes provisions for future urban uses as part of the 2,500 AFY offset. Each year, in accordance with the Stipulation and Judgement, the NMMA Technical Group prepares an annual report and submits it to the court. According to the annual report, the goal of each management area is to promote monitoring and management practices so that present and future water demands are satisfied without causing long-term damage to the underlying groundwater resource. The NMMA Technical Group, as part of the ongoing monitoring, considers the “Key Wells Index” when making its recommendations. The Key Wells Index combines groundwater level data from eight selected wells distributed throughout the inland portion of the management area. The Key Wells Index for 2021 shows that groundwater levels have changed in the NMMA over time, and in the last 9 years, they were at an overall level that was lower than at any other time from 1975 to the present (NMMA Technical Group 2021). In 2015 the Key Wells Index status went from “Potentially Severe Water Shortage Conditions” to “Severe Water Shortage Conditions,” has remained in this state since 2015, and signifies a Stage IV NMMA Water Shortage Response. This situation further illustrates the importance of supplemental water. In the recent annual report (April 2021), the NMMA Technical Group in its recommendations makes the following statement about supplemental water:

Reducing pumping is the most effective method to reduce the stress on aquifers and to allow groundwater to recover; continued operation of the NSWP (see Section 1.1.5- Supplemental Water) is another viable method to achieve these goals. The TG recommends that this project continue to be implemented consistent with the Judgement and Stipulation.

The report also states:

The Stipulation (VI.E.5.) states all new urban uses shall provide a source of supplemental water to offset the water demand associated with the development. Currently [April 2021], the only source of supplemental water dedicated to new urban uses is the 500 AF

of capacity NCSD added to the NSWP. Woodlands level of participation in the NSWP is considered to be their projected buildout demand.

As of July 1, 2021, the City of Santa Maria is delivering 1,000 AFY of supplemental water to the NCSD. WMWC's share of the 1,000 AFY is 167 AFY. The amount of water to be delivered will increase over time as the NCSD makes the necessary improvements to its delivery system. WMWC's share of the supplemental water increased from 107 AFY to 133 AFY on July 1, 2016, increased to 167 AFY on July 1, 2020, and will increase to 417 AFY on July 1, 2025 (MKN & Associates, Inc. 2021).

Based on the Specific Plan and 1998 FEIR, as amended, Sites #1 through #4 were expected to have a water demand of 86.3 AFY (Wallace Group 2022). Since that time, with requirements for more efficient water fixtures, conservation measures, and lower water-using landscape materials, the water demand rates have gone down. Based on a Water and Wastewater Memorandum provided by the applicant and prepared by Wallace Group (2022), the proposed Phase 3 land uses would have a demand of 81.0 AFY at buildout, which is 5.3 AFY less than the demand anticipated for these sites by the 1998 FEIR and 2001 FSEIR. These estimates do not include any estimates for return flow (recycled water), which would lower the demand estimates.

Based on the Water and Wastewater Memorandum (Wallace Group 2022), the proposed Phase 3 development would have a total available water supply of 25.8 AFY. This would be less than the total Phase 3 water demand of 81.0 AFY, a deficit of 55.2 AFY. This deficit would occur until 2025, when the supplemental water delivery increases to 417 AFY, at which point there would be a surplus of 194.8 AFY. The applicant will be required to defer portions of the Phase 3 development for which there is not adequate water supply or may pursue the purchase of the additional 55.2 AFY of NCSD Supplemental Water Delivery until 2025 when the supplemental water delivery increase takes effect. Because the supplemental water delivery and the generation of wastewater will occur incrementally or possibly be delayed, it is important that development not outpace the water deliveries.

The supplemental water delivery water volume may be delivered to the WMWC system or extractions from nearby NCSD wells will be reduced by the same amount to achieve the same goal. Delivery of supplemental water from the NCSD to the WMWC would likely require approval from the San Luis Obispo Local Agency Formation Commission (LAFCO) and the Specific Plan requires that the WMWC be the sole water supply for all parcels and development. It is specifically limited to storing, treating, and delivering the water of individual overlying parcel owner. The WMWC has historically purchased the supplemental water in exchange for a reduction in pumping by the NCSD. The NCSD is in the process of constructing an upgraded permanent intertie with the WMWC system, which would allow for physical water deliveries (Wallace Group 2022). It is anticipated that any additional supplemental water purchase for Phase 3 development through 2025 would be offset by the NCSD reducing pumping from one of their nearby wells until such time that the permanent intertie is completed, which would then allow WMWC to accept the water delivery from the NCSD into their system.

While the Phase 3 development would be conditioned to ensure that development does not outpace the water deliveries, the proposed Specific Plan Amendments would use less water than anticipated in the Specific Plan, 1998 FEIR, and 2001 FSEIR, and, therefore, the Specific Plan Amendments would not increase or create new impacts compared to what was evaluated with the 1998 FEIR or 2001 FSEIR.

### **3.11.2 Water Quality, Drainage, and Erosion**

The 1998 FEIR determined that the project would increase the volume of surface water runoff, expose people to flood hazards, and increase soils erosion, including transport of sediment and pollutants downstream to receiving waters. These impacts were determined to be less than significant with



adherence to laws and regulations and with implementation of mitigation measures. Development resulting from the Specific Plan Amendments would be subject to Mitigation Measures 4.11-1a, 4.11-1b, 4.11-2a, 4.11-2b, and 4.11-3.

In 2010 the State Water Resources Control Board (State Water Board) issued a statewide Construction General Permit (Order No. 2009-0009-DWQ) that regulates runoff from construction sites involving grading and earth-moving activities over 1 acre in size. The Construction General Permit also applies to projects of less than 1 acre that are part of a larger plan of common development and requires covered construction projects to use the best available technology economically achievable and the best conventional pollution control technology. Each construction project subject to the Construction General Permit is required to have a Stormwater Pollution Prevention Plan (SWPPP) prepared. A SWPPP identifies likely sources of sediment and pollution and incorporates measures to minimize sediment and pollution in runoff water.

The proposed Specific Plan Amendments would not substantially change the amount of earthwork or ground disturbance in Monarch Dunes Village and would not introduce earthwork or ground disturbance to new areas within the Village not originally anticipated for ground disturbance. Additionally, the project would be required to adhere to current regulations regarding stormwater, including the requirement for preparation of a SWPPP.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### **3.12 MINERAL RESOURCES**

The 1998 FEIR did not identify any impacts related to mineral resources. The proposed Specific Plan Amendments would not change the availability of mineral resources in the project area and there would be no new or more significant impacts than originally analyzed.

The Specific Plan Amendments would not alter the assessments or conclusions of the 1998 FEIR.

### **3.13 NOISE**

The 1998 FEIR determined that construction-related noise, specifically from equipment related to initial site tree removal, would result in a significant and unavoidable impact to surrounding residences, even with mitigation limiting the hours of construction and requiring neighbor notification. The proposed Specific Plan Amendments would not increase the amount of construction beyond what was originally envisioned, and construction-related noise levels would be substantially similar to those anticipated with the 1998 FEIR for these areas. All tree removal has been completed and no additional tree removal is proposed. Additionally, the project would likely reduce the amount of commercial uses in favor for residential uses, which typically are less noise intensive due to less trip generation.

The Specific Plan Amendments would not alter the assessments or conclusions of the 1998 FEIR.

### **3.14 POPULATION AND HOUSING**

The 1998 FEIR determined that buildout of the Specific Plan would have a negative impact on the jobs-to-housing imbalance in the Nipomo area and would result in growth-inducing impacts.

The proposed Specific Plan Amendments would not result in uses that would displace people or housing; however, 162 new primary residential units would be added. According to the U.S. Census Bureau, the

average household size in Nipomo between 2015 and 2019 was 3.16 (U.S. Census Bureau 2021).<sup>2</sup> Therefore, the proposed Specific Plan Amendments would be expected to add 512 persons to the area. This would represent a 12.4% increase over the 1998 FEIR residential unit count and population estimate.

Based on 2021 U.S. Census data, the total number of housing units in the Nipomo CDP was 5,488 in 2021. The South County Planning Area is characterized as a housing-rich area with a jobs-to-housing ratio of 0.66. This suggests that additional housing constructed in the South County Planning Area would result in an increase in residents commuting to a proximate community (such as the cities of Santa Maria or San Luis Obispo) for work. An imbalance between jobs and housing has the potential to result in a range of adverse environmental impacts, including:

- increased vehicle commute distances and time (VMT);
- increased energy consumption, GHG emissions, and air pollutant emissions from additional commuters; and
- indirect impacts on other communities that build housing, such as loss of habitat.

The proposed Specific Plan Amendments would adversely affect the local jobs-to-housing ratio within the Inland South County Planning Area. However, the 1998 FEIR anticipated a negative impact on the jobs-to-housing ratio and the 12.4% increase in residential units would not substantially worsen the imbalance (0.64 ratio). Additionally, the project would also result in the construction of additional housing units that would help the county reach its housing development allocation goals per the County Regional Housing Needs Allocation (RHNA) required by state law.

Therefore, the Specific Plan Amendments would not alter the assessments or conclusions of the 1998 FEIR.

## **3.15 PUBLIC SERVICES AND RECREATION**

### **3.15.1 Fire**

The nearest fire station is California Department of Forestry and Fire Protection (CAL FIRE)/County Fire Station 22 (Mesa), which is located approximately 2.5 miles west of the Village Center. CAL FIRE Station 22 has experienced a substantial increase in calls for service over the past 3 years due to an increase in new development and population in the Nipomo Mesa area. Due to increasing response times and call volumes, there is a need for an additional fire station on the west side of US 101 in Nipomo (Resolute Associates LLC 2021). A site has been dedicated for a Black Lake Fire Station approximately 1.5 miles north of the project site, but there are no active plans at this time to develop this parcel. Additionally, the proposed Dana Reserve Specific Plan project, if approved, would be required to dedicate land for the future construction of a new fire station, but there are no active plans at this time to develop a future parcel. Emergency response times to the Specific Plan Amendments sites are generally 0 to 5 minutes (County of San Luis Obispo 2022).

The 1998 FEIR determined that the project would develop residential and commercial buildings in close proximity to eucalyptus stands, increasing the population of the area, which could exacerbate fire hazards and calls for service. These impacts were determined to be less than significant with payment of Public

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<sup>2</sup> U.S. Census Bureau data is not available for Monarch Dunes Village as data is not tracked for communities with less than 5,000 persons. Therefore, this Addendum uses information from the adjacent community of Nipomo, which has similar characteristics to Monarch Dunes Village in terms of population and employment opportunities.

Facilities Fees and implementation of mitigation measures. Cumulative impacts of the proposed project along with other proposed developments in the area were determined to be significant and unavoidable.

Additional population growth would ultimately increase demand on existing fire protection services through these increased calls for service. The proposed Specific Plan Amendments would add 162 new primary residential units. According to the U.S. Census Bureau, the average household size in Nipomo between 2015 and 2019 was 3.16 (U.S. Census Bureau 2021). Therefore, the proposed Specific Plan Amendments would be expected to add 386 persons to the area. This would represent a 12.4% increase over the 1998 FEIR housing unit count and population estimate. While there is a current need for a new fire station on the west side of Nipomo, this 12.4% increase resulting from the proposed Specific Plan Amendments would not trigger the need for additional facilities beyond the current need. Cumulative impacts would remain significant until such time a new fire station in Nipomo is constructed and fully staffed. Mitigation Measures 4.7-1a through 4.7-1i would apply to development associated with the proposed Specific Plan Amendments.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### **3.15.2 Police**

The community of Nipomo is served by the South Station, which also serves the city of Arroyo Grande and the unincorporated communities of Oceano, Halcyon, Los Berros, Huasna, and New Cuyama. The County Sheriff's Office aims to provide one deputy per 1,000 people in order to adequately respond to calls for service throughout the community; however, due to difficulty hiring and staffing shortages, these staffing requirements are not met on a consistent basis (San Luis Obispo County Sheriff's Office 2020). There are 24 deputies serving the South Station service area, which has a population of approximately 45,225 people (San Luis Obispo County Sheriff's Office 2020; U.S. Census Bureau 2021). Therefore, there are currently 0.53 deputies per 1,000 people in the South Station service area. In order to provide one deputy per every 1,000 residents, the South Station would need to employ 45 to 46 deputies. The South Station is located approximately 6 miles northwest of Monarch Dunes Village Center and emergency response times to the Specific Plan Amendments sites are generally 0 to 5 minutes (County of San Luis Obispo 2022b). The County's 2022–2023 Capital Improvement Plan includes the construction of a new Sheriff's Patrol Station in Nipomo along Tefft Street. The new patrol station is planned to begin construction in 2022 or 2023 and is anticipated to be completed in 2025 or 2026; however, actual timing of construction may vary (County of San Luis Obispo 2022a). The new patrol station would require additional staff, vehicles, and other equipment. Operation of a new patrol station would reduce demand on the existing South Station and would allow for improved response times to emergency calls by providing additional deputies in closer proximity to the community of Nipomo.

The 1998 FEIR determined that buildout of the Specific Plan would increase the population concentration of the area, which would significantly impact law enforcement services and resources, but would be less than significant with mitigation and payment of Public Facilities Fees. Cumulative impacts of the proposed project along with other proposed developments in the area were determined to be significant and unavoidable.

As noted above, the proposed Specific Plan Amendments would be expected to add 512 persons to the area, a 12.4% increase over the 1998 FEIR housing unit count and population estimate. While there is a current need for a new police station on the west side of Nipomo, this 12.4% increase resulting from the proposed Specific Plan Amendments would not trigger the need for additional facilities beyond the station that is currently planned. Cumulative impacts would remain significant until such time a new sheriff station in Nipomo is constructed and fully staffed. Mitigation Measures 4.7-2a and 4.7-2b would apply to development associated with the proposed Specific Plan Amendments.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### **3.15.3 Schools**

The project site is within the Lucia Mar Unified School District (LMUSD), which is the largest school district in the county, covering approximately 550 square miles and serving the cities of Arroyo Grande, Grover Beach, and Pismo Beach and the communities of Nipomo, Oceano, and Shell Beach. The LMUSD is governed by a seven-member Board of Education and consists of 11 elementary schools, three middle schools, three comprehensive high schools, one continuation high school, one independent student study school, and one adult education program. There are more than 10,000 students within the LMUSD (LMUSD 2021). In the past 10 years, general enrollment trends of the LMUSD show a steady increase in elementary school enrollment and a decrease in middle school and high school enrollment (County of San Luis Obispo 2018).

The 1998 FEIR determined that buildout of the Specific Plan would increase the population concentration of the area, including that of school-aged children, which would have an impact on the LMUSD. However, this impact was determined to be less than significant with the payment of mandatory school development impact fees or other agreement with the LMUSD that would offset school impacts.

As noted above, the proposed Specific Plan Amendments would be expected to add 512 persons to the area, a 12.4% increase over the 1998 FEIR housing unit count and population estimate. The project would be subject to the payment of state taxes for public schools established by the Leroy F. Greene School Facilities Act of 1998 and implemented by California Education Code Section 17620. As identified in California Government Code Section 65995(h), the payment of mandatory school development impact fees (through County Public Facilities Fees) “. . . is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization.” Mitigation Measure 4.7-3a would apply to development associated with the proposed Specific Plan Amendments.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### **3.15.4 Parks and Recreation**

Nipomo Community Park currently provides 136 acres of community parkland to residents of Nipomo. In addition to Nipomo Community Park, there is a planned 30-acre park (Jack Ready Park) that would provide additional recreational facilities within the community of Nipomo; however, the timeframe for buildout is currently not known.

As described in the County’s 2016–2018 Resource Summary Report, the County aims to provide 10 to 15 acres of regional parkland per 1,000 residents within San Luis Obispo County. To assess the level of severity for regional parks, the total acreage of regional parks was divided by the estimated total 2018 county population, which includes cities and unincorporated areas. The total 2018 county population was estimated to be 282,544 and the total acreage of regional parks was estimated to be 11,991 acres. Based on these statistics, the County provides 42.4 acres of parkland per every 1,000 residents. Therefore, the County provides more than 10 to 15 acres of regional parkland per 1,000 persons and this resource has not been assigned a recommended level of severity (County of San Luis Obispo 2018).

As described in the County’s 2016–2018 Resource Summary Report, the County aims to provide 2 to 3 acres of community parkland per 1,000 residents within a community. To assess the level of severity for community parks, the population within a 5-mile radius of the urban reserve line (URL) for the 10 unincorporated communities was determined using 2010 census block data. The resulting population was

adjusted by applying the population growth rate for 2010 to 2018 to reflect the 2018 population (County of San Luis Obispo 2018). For the community of Nipomo, the total population in 2018 was estimated to be 29,040. Nipomo Community Park provides 136 acres of parkland for the community; therefore, the community of Nipomo provides approximately 4.23 acres of parkland per every 1,000 residents and has not been assigned a level of severity since there are more than 2 to 3 acres of community parkland per 1,000 residents in the community. Jack Ready Park is a planned, undeveloped park within the community, which would provide an additional 30 acres of parkland. This resource has not been assigned a recommended level of severity (County of San Luis Obispo 2018).

The 1998 FEIR did not identify any impacts related to park services or recreational facilities. The proposed Specific Plan Amendments would convert the Park Site (Site #4) to single-family residential uses. The 11.5-acre parcel is identified in the Specific Plan as an active park that would be dedicated to the County. The site is currently vacant and undeveloped, though it was previously mass graded during tract improvements. Monarch Dunes Village would be required to pay Quimby in-lieu fees in place of dedicating the Park Site to the County and for future subdivisions consistent with the Quimby Act.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### 3.16 UTILITIES AND SERVICE SYSTEMS

Water supply is discussed above in *Section 3.11, Hydrology and Water Quality*.

The 1998 FEIR determined that buildout of the Specific Plan would result in less-than-significant impacts to utilities (e.g., wastewater, solid waste). The proposed Specific Plan Amendments would not introduce development to new areas of the village. All three sites proposed for housing are adjacent to existing public roadways and utilities (e.g., water, wastewater, storm drain, dry utilities) and would not require new infrastructure mains to be installed. The water demand for Phase 3 would be less than analyzed in the 1998 FEIR and would correlate to a reduction in wastewater generation, which would be accommodated by the existing wastewater treatment plant on-site. With the adoption of CALGreen and recent legislation aimed at solid waste reduction, commercial recycling, and construction waste diversion, buildout of the Specific Plan, including the proposed Specific Plan Amendments, would result in less solid waste generation than originally anticipated. Mitigation Measures 4.7-6a through 4.7-6e would apply to development associated with the proposed Specific Plan Amendments.

There would be no new or more significant impacts than originally analyzed in the 1998 FEIR.

### 3.17 TRANSPORTATION

The primary street network that provides access to Monarch Dunes Village includes Tefft Street in Nipomo from U.S. Route (US) 101 to Mesa Road, Mesa Road from Tefft Street to the village, Camino Caballo from Pomeroy Road in Nipomo to Maggie Lane, Willow Road from US 101 to Via Concha and Albert Way, Albert Way and Via Concha from Willow Road to the village, and SR 1 (north and south between the cities of Guadalupe and Arroyo Grande). The following roads have been improved as a result of the Phases 1A, 1B, and 2A development:

- Albert Way from the village to Willow Road
- Via Concha from the village to Willow Road
- A portion of Dawn Road fronting the property
- The unpaved portions of Mesa Road from the village to Tefft Street

- Camino Caballo from Maggie Lane to Viva Way
- Eucalyptus Road between the village to the existing paved Eucalyptus Road just east of the tract Boundary
- Viva Way between Eucalyptus Road and Mesa Road

In addition to the road improvement requirements, the applicant has provided their fair share to construct area roads by paying the applicable South County Road Improvement fee, which included fees for the Willow Road extension and interchange with US 101.

Key intersections in the street network include SR 1 and Via Concha, Willow Road and SR 1, Willow Road and Pomeroy Road, and Mesa Road and Tefft Street. The 1998 FEIR discusses the signalization of the intersections of Willow Road/Pomeroy Road and Tefft Street/Mesa Road, which the applicant would provide a fair share payment if signal warrants are met at these intersections. As of the Phase 2C development, these intersections are operating acceptably.

The 1998 FEIR determined that buildout of the Specific Plan would result in increased traffic on local roadways and intersections, but that with mitigation, impacts would be less than significant. Stantec prepared a Revised Traffic Assessment to evaluate the proposed changes to the Specific Plan compared to the original project approval (Stantec 2022). The Revised Traffic Assessment determined that the proposed Specific Plan Amendments would reduce the total number of average daily trips of from 8,952 to 3,032, a reduction of 5,920 average daily trips.

Since certification of the 1998 FEIR, revisions to the State CEQA Guidelines have occurred, including the change from Level of Service (LOS) to VMT as the preferred metric for evaluating a project's transportation impacts, in compliance with SB 743. The County has since developed a VMT Program (Rincon Consultants 2020; GHD 2021), which provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

While VMT was not specifically analyzed in the 1998 FEIR, its current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of the 1998 FEIR certification. As noted above, the proposed Specific Plan Amendments would reduce the overall average daily trips by 5,920. The elimination of these trips would also eliminate the corresponding VMT associated with the trips.

The Specific Plan Amendments would not exacerbate or increase the impact of the proposed project as evaluated within the 1998 FEIR.

### **3.18 WILDFIRE**

Monarch Dunes Village is not designated as a State Responsibility Area (SRA) relative to fire hazard and does not have a fire hazard severity zone, though all adjacent areas are identified as "High" fire hazard severity zones with the SRA. The County's 1999 Safety Element identifies Monarch Dunes Village as being within a "High" fire hazard severity zone and is within a Local Responsibility Area (County of San Luis Obispo 1999b).

The 1998 FEIR was adopted prior to the inclusion of wild wildfire-specific related questions in the CEQA checklist and therefore did not address impacts of wildfire outside of impacts to fire protection services and facilities (discussed in *Section 3.15, Public Services*). These new questions ask whether the project would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

While these questions were not incorporated into the 1998 FEIR, their current inclusion in the CEQA checklist does not warrant an analysis of the entire project unless the project changes would result in new or more severe significant environmental impacts or unless there is new information of substantial importance that was not known at the time of the 1998 FEIR certification.

The proposed Specific Plan Amendments would not create new obstacles to emergency response or evacuation, exacerbate wildfire risks beyond that anticipated in the 1998 FEIR, or require new or additional infrastructure beyond that anticipated in the 1998 FEIR. Requirements of the CBC and California Residential Code were created to reduce wildfire risk associated with development in High Fire Hazard Severity Zones (FHSZ). Due to the project's location in a High FHSZ, future residential development would be required to comply with requirements identified in Chapter 7A of the CBC and Chapter R337 of the California Residential Code for roofs and roof edges, exterior walls and siding, eaves and porch ceilings, vents, windows and exterior doors, exterior decking and stairs, underfloor and appendages, and residential sprinklers. Future commercial development would be required to comply with Title 16 of the County Code, which requires installation of automatic fire sprinklers, fire alarm systems, and portable fire extinguishers in all commercial buildings over 1,000 square feet. As required by the County Fire Marshal, a fire protection engineer would review all commercial fire protection system designs. In addition, all new commercial buildings would be required to comply with the building material requirements identified in Chapter 7A of the CBC.

The Specific Plan Amendments would not exacerbate or increase the impact of the proposed project as evaluated within the 1998 FEIR.

## **CHAPTER 4. CONCLUSION**

The Specific Plan Amendments do not involve any conditions that require preparation of a subsequent or supplemental EIR. This Addendum demonstrates that the proposed amendments will not require major revisions to the 1998 FEIR because the changes do not result in any new or substantially increased significant environmental effects pursuant to State CEQA Guidelines Section 15162(a)(1) and Section 15162(a)(2). The proposed Specific Plan Amendments will not result in a new significant impact or a substantial increase in the severity of an impact identified in the 1998 FEIR pursuant to State CEQA Guidelines Section 15162(a)(3)(A) and Section 15162(a)(3)(B). Furthermore, no new information of substantial importance exists that indicates that there are mitigation measures or alternatives that are considerably different from those analyzed in the 1998 FEIR that will substantially reduce one or more significant effects on the environment, and that the project proponents have declined to adopt the mitigation measure or alternative pursuant to State CEQA Guidelines Section 15162 (a)(3)(D). Therefore, based on the criteria established in Sections 15162 and 15164 of the State CEQA Guidelines, an Addendum is the proper CEQA documentation for the Specific Plan Amendments.



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